

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,
vs. **No. CR 23-236 KG**

JOSEPH CRUTCHER,

Defendant.

SENTENCING MEMORANDUM

COMES NOW Joseph Crutcher through his attorney of record, Jess Lilley, and hereby files this sentencing memorandum. Crutcher requests for the Court to sentence him to 23 years. As grounds, Crutcher states:

Joseph Crutcher is 59 years old. He grew up with no father in a poor home, and suffered abuse from a neighbor when very young. Joseph did not report the abuse. He dropped out of school in the 9th grade to work and help the family. Joseph left the family home at age 19 and moved in with his pregnant girlfriend. He has lived in southern California, Colorado, and Carlsbad. Joseph is on disability for two work-related back injuries, and has had two serious back surgeries.

He has been with his current wife, Rachel, for almost 20 years. They have two children together, a girl (9), and a 17 year-old boy. Rachel had another child outside the marriage, a daughter, age 6, that Joseph considers his own. When arrested on this case, Joseph immediately relinquished his parental rights. It was the right decision after many years of bad decisions.

Joseph is not in good health. He suffers from high blood pressure and an inflammatory bowel disease. He had a heart attack in 2018 which required a stint. He was told he was brought

back to life multiple times in the hospital. He takes numerous medications and has had memory problems after the heart attack. Joseph obtained mental health treatment after the heart attack due to anxiety and depression and was prescribed medication. He continues to suffer from PTSD issues.

Joseph understands he has destroyed his life, his marriage, and most importantly the childhood of his three children. Simply put, he is sorry. Any apology he can give will never be enough. He does not have a good answer to the question “why?” Maybe the abuse he suffered as a young child contributed. Nevertheless, he has an addiction that he knew was completely wrong, but did not stop. He hopes his children can heal and have positive relationships when they are older, and he knows they will need a lot of therapy for many years. The only thing he can do for them now is pray and have hope for them. He is not sure he will be able to ever forgive himself. He has taken complete responsibility and makes no attempt to justify anything, which is the first step in rehabilitation. He will take whatever courses or counseling he can in prison to become a better person.

Joseph is looking at 15-70 years in prison. He asks the court for a sentence of 23 years. It is unlikely he will live that long due to his health and age, so such a sentence is essentially a life sentence. If he were to somehow complete this sentence, he would be about 80 and would then be released on the most stringent statutory and judicial release and reporting conditions. The chances of him repeating his conduct at that age and under close supervision would be minimal if any. All §3553 are met by a 23-year sentence.

Respectfully Submitted,

E-filed August 14, 2023

/s/ Jess R. Lilley

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was e-filed to opposing counsel this 14 day of August, 2023, to wit:

Marisa Ong & Matilda Villalobos
U.S. Attorney's Office

/s/ Jess R. Lilley